

**STORY COUNTY
 PLANNING AND ZONING
 STORY COUNTY ADMINISTRATION
 900 6TH STREET
 NEVADA, IOWA 50201-2087
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"Commitment, Vision, Balance"

**MINUTES
 STORY COUNTY
 PLANNING AND ZONING COMMISSION**

AN AUDIO RECORDING OF THE FULL MEETING MAY BE FOUND IN THE PLANNING AND DEVELOPMENT DEPARTMENT, OR BY VISITING WWW.STORYCOUNTYIOWA.GOV

DATE: December 5, 2018	Aaron Steele, Chair	2018
	Jerry Cable, Vice Chair	2019
CALL TO ORDER: 4:00 PM	Kathy Mens	2022
PLACE: Public Meeting Room	Linda Murken	2020
Administration Building	Marvin Smith	2018
	*PJ McBride	2021
	*Jonathan Sherwood	2020
	*Absent	

ADJOURNMENT: 8:28 PM

STAFF PRESENT: Jerry Moore, Director; Emily Zandt, Planner, Amelia Schoeneman, Planner; Stephanie Jones, Recording Secretary; Deb Schildroth, Director of External Operations and County Services

PUBLIC PRESENT: Cindy Hildenbrand, Doug Moore, Teri Gallahan, Kurt Friedrich, Rory Reilly, Scott Renaud, Rich Johansen, Jeff Johnson, and John Johnson

JOINT WORKSESSION OF BOARD OF SUPERVISORS AND PLANNING AND ZONING COMMISSION

COMMISSION AND BOARD MEMBERS PRESENT: Steele, Cable, Mens, Murken, Smith, Sanders, Chitty, Olson

The Board of Supervisors and Planning and Zoning Commission met to discuss work program items for the Planning and Development Department. Moore thanked the staff for their dedication to planning and their input on the many planning cases and special projects. He also expressed appreciation to the Planning and Zoning Commission and Board of Supervisors for their input, assistance and support for the many items that were before them this year. Moore gave an update on the number of zoning permits, development cases, property research reports, agricultural exemptions, and other items the department reviewed and completed in 2018. Moore also updated the group on the McKay property and Hickory Grove Mobile Home Park legal cases and Crestview Mobile Home Park.

Moore summarized and discussion took place on the completed work program items which included the Ames Urban Fringe Plan, Fernald, US Census (1st phase), and Traffic Impact Ordinance.

Moore summarized and discussion took place on the tier 1 (high priority) items currently being worked on for completion by March 2019 by Planning and Development including a Construction/Demolition Landfill

site. After much discussion, time was running short, and everyone agreed that the remainder of the items should remain the same and there no concerns were communicated.

REGULAR MEETING

APPROVAL OF AGENDA (MCU)

APPROVAL OF MINUTES (MCU)

November 7, 2018

PUBLIC COMMENTS:

None

ADDITIONAL ITEMS:

ELECTION OF OFFICERS FOR 2019 CALENDAR YEAR

MOTION: Marvin Smith to serve as 2019 Chair

Motion: Cable

Second: Mens

MCU

MOTION: Kathy Mens to serve as 2019 Vice Chair

Motion: Murken

Second: Smith

Mens declined the nomination.

MOTION: Jerry Cable to continue as 2019 Vice Chair

Motion: Smith

Second: Mens

MCU

2019 PLANNING AND ZONING COMMISSION MEETING SCHEDULE

MOTION: Approval of 2019 Meeting Schedule

Motion: Cable

Second: Mens

MCU

COUNTYWIDE WATERSHED ASSESSMENT IMPLEMENTATION

Leanne Harter, County Outreach and Special Projects Manager provided an overview of the Watershed Assessment Implementation Matrix including items added from the last Planning and Zoning Commission meeting and asked the Commission to share any comments on the questions she provided by email over the next few days. Harter shared comments that had been received from the Conservation Board from their recent meeting. Harter summarized the low, medium and high priority items on the Matrix. Discussion took place regarding some of the action steps.

MOTION: Recommendation of the Watershed Assessment Implementation Matrix to the Board of Supervisors.

Motion: Smith

Second: Murken

Voting Aye: Smith, Mens, Cable, Steele, Murken
Voting Nay: None
Not Voting: None
Absent: McBride, Sherwood
Vote: (5-0)

PUBLIC HEARINGS

REZ04-18 Friedrich Dotson Farms Rezoning

Steele asked if there is any information that the commission would like to share in the event that anyone had talked with the applicant ahead of time about the proposed rezoning. This was in response to the requirement identified in the Commission's Organizational Policy and Rules Procedure covering ex-parte contacts. Murken stated she was contacted by the Mayor of Gilbert, the developer, a nearby neighbor, and she received emails that she forwarded to Jerry Moore.

Emily Zandt presented the staff report. Zandt stated that the applicant is requesting approval of a rezoning from the A-1 Agricultural District to the R-1 Transitional Residential District and a Story County Cornerstone to Capstone (C2C) Comprehensive Plan Future Land Use Map Amendment Request from the Agricultural Conservation Area and Natural Resource Area to the Rural Residential Area for the 160 gross acres located in the northwest quarter of Section 7, Franklin Township.

Murken asked about the prairie remnants that would be left. Zandt stated that with the proposed conditions of approval, the applicant would work with Story County Conservation to identify and provide more detail on the location of the environmentally sensitive areas. Murken asked if the applicant agreed to a management/ownership agreement with Story County Conservation/Story County. Zandt stated that there was discussion on the subject, but no agreement. Murken had several questions including clarification about the buffer to east, easement on the west and north, how many acres that would take out of land to be developed, and stated she was confused about the comparison to Eagle Ridge. Moore stated Eagle Ridge was viewed by staff to be surrounding the subject property and because the zoning ordinance required the proposed future land use to be consistent with surrounding development pattern, staff recommended a condition to keep the proposed development to 14 dwellings per quarter quarter, the same as Eagle Ridge. The applicant's lots are smaller than the existing lots in Eagle Ridge and their focus is to offer a variety of lot sizes and keep the lots away from the environmentally sensitive areas. Murken asked about special consideration due to three drainage districts. Zandt stated that drainage must stay within the individual district boundaries, so the way the water drains has to be carefully considered. Murken asked about the drainage during construction. Moore stated that many of the details would be worked out at the time of the subdivision submittal. Steele asked what the planned designations are between this property to Gilbert to Hwy 69 and to Cameron School Road. Zandt stated that a majority of that area is in the Ames Urban Fringe Plan. Moore clarified that the subject property is clearly outside of the Ames Urban Fringe. Steele asked if it is possible to predict the impacts of the rezoning request on the LESA scores of surrounding properties. Zandt stated that the LESA scores would likely drop, which provides potential for additional rezoning requests to be approved. Moore stated that the goal with the LESA system is to preserve prime farm ground.

Kurt Friedrich spoke and stated that there are some prairie remnants on the site that are worthy of restoration. Friedrich provided background information about the property owner. Friedrich stated he is in full agreement with the planning staff, including the greenbelt, easements, buffers, but the one item that is not reasonable is the lot count, which would eliminate almost 30% of the project.

Scott Renaud spoke about why they chose to request a rezoning to the R-1 Transitional Residential District, soils being ideal for septic systems, staying out of floodplain, minimal grading, and the

development concept plan. Renaud stated that the smaller lot size is also so that the average property values could remain lower.

Steele asked about the southwest 40 acres and what the connection is between the objections and rezoning designation and if the southwest 40 acres were left out what the remaining space set-aside would leave. Renaud stated there would be around 50 acres of green space remaining.

Cindy Hildenbrand spoke and stated that she is interested in the development, that it could serve as a model for future conservation type development and that there is a need for housing in the county. Hildenbrand spoke about protecting natural resource areas and is pleased that Story County Conservation may be gifted some of the natural area.

John Johnson stated that he owns the property immediately to the north. Johnson asked how LESA scores are established. Zandt stated that it's an evaluation determined by Planning and Development staff and summarized how the items are determined. Zandt stated that a higher score typically indicates higher value agricultural land. Johnson asked why a LESA score was not determined for the row crop areas separately. Johnson asked where number of 56 homes came from and that if this is allowed to be rezoned that he is not in favor of the larger amount of homes. Johnson stated that he would like there to be better buffering from the proposed development and livestock in the area.

Rory Reilly stated he has been farming the subject property for 25 years and he does not agree with the 266 LESA score. He also owns and operates the farm and cattle operation to the east. Reilly has concerns about the proposed furthest east, north/south road and how that may obstruct rainwater during heavy rains and stated that he did not feel there is a need for this much new housing. Riley is also concerned about his livestock and the liability it would create with the homes being so close. He also spoke about concerns with increased traffic from the proposed development and its interaction with farm machinery on adjacent roads.

Teri Gallahan spoke about a recent Gilbert annexation to the south of the City and supported the future proposed residential development in that area and had concerns about there not being enough water provided by rural water for fire protection. She stated that the City of Gilbert would then have to provide the water that would draw down their water from the City's water tower. Steele asked if her comments should be from her personally or on behalf of the City. Gallahan stated either way, however it was determined that these comments were personal and not on behalf of the City. Steele asked if generally, the comments would be supported by the city and Gallahan stated that the council would not be speaking about this until their next meeting.

Renaud spoke about roads and culverts being designed for 100-year flood events, septic systems issues and steps that will be taken to ensure quality systems are installed to avoid problems. Renaud spoke about invasive species management and stated that prairie is better than trees. Green space is better to be managed by Story County Conservation rather than a homeowners association.

Murken asked for more information about the septic systems. Renaud stated that they would be upper end systems that will have monitoring systems to provide an alert when there are problems. Murken stated that she has concerns about people moving from the city to the country and not understanding how to properly maintain a septic system. Murken stated she has concerns about the open space being maintained by Story County Conservation. Murken stated that she feels Renaud is not understanding prairie sensitivity.

Mens asked if there would be a fence around the entire subdivision to protect the livestock from people and animals

Steele stated that two actions are being requested that are summed up into one. Steele asked for clarification and recommended that two actions be taken instead of one if the commission felt it was necessary.

Cable asked for clarification on the Staff recommendation, specifically which condition limits the number of developable lots to 56.

Steele stated that he is not sure he agrees with staff using a condition that requests a further rezoning of the southwest quarter quarter. Much discussion took place about the rezoning. Smith asked how many zoning requests are before us. Moore stated there is one zoning request covering the four parcels and Planning and Development Staff recommends approval of the three parcels: the northwest, northeast, and southeast quarter quarters with conditions.

MOTION: The Story County Planning and Zoning Commission recommends approval of the proposed rezoning from the A-1 Agricultural District to the R-1 Transitional Residential District and the Story County C2C Future Land Use Map Amendment from Agricultural Conservation Area and Natural Resource Area to the Rural Residential Area for the northwest, northeast, and southeast quarter quarters of Section 7 of Franklin Township with the conditions presented, and removing condition one.

MOTION: Cable

SECOND: None

No second, motion failed

MOTION: The Story County Planning and Zoning Commission recommends approval of the proposed rezoning from the A-1 Agricultural District to the R-1 Transitional Residential District and the Story County C2C Future Land Use Map Amendment from Agricultural Conservation Area and Natural Resource Area to the Rural Residential Area for the northwest, northeast, and southeast quarter quarters of Section 7 of Franklin Township with the following conditions:

- 1. The overall density of the future subdivision shall be consistent with the density of the Eagle Ridge Subdivision located to the south, not to exceed fourteen (14) development lots per quarter quarter, in order to match the existing character of the area.**
- 2. The applicant shall collaborate with Story County Conservation to identify and map the locations of environmentally sensitive areas, including the southwest of the northwest quarter quarter, on the subject property including but not limited to those identified in Condition 7 below.**
- 3. The applicant shall request a Future Land Use Map Designation amendment for the environmentally sensitive areas, identified in Condition 2, from the requested Rural Residential Designation to the Agricultural Conservation Designation at the time of the proposed subdivision plat and rezoning submittal (see Condition 4). The environmentally sensitive areas identified in Condition 2 shall be further designated as Natural Resource Area on the C2C Future Land Use Map.**
- 4. In order to ensure the long-term protection of the environmentally sensitive areas and the floodplain areas, an application to rezone the southwest quarter of the northwest quarter of Section 7 and all environmentally sensitive areas, identified in Condition 2, from the A-1 Agricultural District and the R-1 Transitional Residential District to the GB-C Greenbelt Conservation District shall be submitted by the property owner/applicant with the proposed subdivision plat. A management and/or ownership agreement with Story County Conservation shall be made and submitted at the time of the rezoning in order to best preserve and maintain the identified environmentally sensitive areas located on this property.**
- 5. In accordance with Principle 4 of the Rural Residential Area C2C Future Land Use Map Designation, a buffer of no less than 50 feet shall be maintained between the proposed subdivision development lots and the agricultural land use located to the east.**
- 6. A 20' wide easement for a future hard-surfaced trail shall be provided on the north and west sides of the proposed subdivision for future trail development as described in the C2C**

Cornerstone to Capstone Comprehensive Plan (See Map 29: Proposed Trails and Greenway Map).
7. As part of the subdivision plat submittal, the development improvements shall meet the requirements of the Story County Land Development Regulations R-C Residential Conservation Design (Overlay) District Chapter 86.15(4)(A)(1-7) as follows:

4. Design and Improvement Requirements.

A. Land Suitability. No land shall be developed which is held to be unsuitable for any proposed use if identified as being environmentally sensitive. Areas identified as being environmentally sensitive include:

- (1) All wetlands and hydric soils by the Natural Resource Conservation Service or Story County Conservation, including a 50-foot buffer around all such identified wetlands.
- (2) Native prairie remnants.
- (3) Significant trees and cover.
- (4) All areas having slopes greater than 14 percent.
- (5) Areas that provide habitat for rare, threatened or endangered species.
- (6) Burial sites and Native American mounds.
- (7) Drainage ways that contain running water during spring runoff, during storm events or when it rains. A 30-foot buffer along each side of the drainage way shall be included.

Motion: Smith

Second: Cable

Voting Aye: Smith, Cable

Voting Nay: Murken, Mens, Steele

Not Voting: None

Absent: McBride

Vote: (2-3)

Steele requested a two-minute recess at 8:19 pm.

Reconvened at 8:22

COMMENTS

STAFF: Moore stated that there will be a need for a representative to the CAFO scoring committee and Mens volunteered for that committee. There is also an opening on the economic development committee and Smith stated he would volunteer. Action on these appointments will occur at the January 2019 meeting.

COMMISSION: Murken shared her letter of resignation with the commission. Steele stated that with the joint meeting running out of time he wanted to request the staff to add an item to the 2019 work program for considering alternative uses for existing accessory dwellings, perhaps linked to elder family care. Smith added that he agreed and also suggested that staff considering other options for alternative uses to new accessory structures to create economic activity and also keep people in Story County.

ADJOURNMENT: 8:28 PM



Approval of Minutes



Title and Date